

## Message Text

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ORIGIN EB-08

INFO OCT-01 ARA-10 ISO-00 L-03 CIAE-00 COME-00 DODE-00  
DOTE-00 FMC-01 INR-07 NSAE-00 CG-00 DLOS-09  
OES-07 /046 R

DRAFTED BY EB/TCA/MA:JAPURNELL:EW  
APPROVED BY EB/TCA/MA:CTAYLOR, JR.  
ARA/ECP:DTAHER  
MARAD:RBOURDON

-----089219 070038Z /75

P R 062155Z JAN 78  
FM SECSTATE WASHDC  
TO AMEMBASSY BRASILIA PRIORITY  
INFO AMCONSUL RIO DE JANEIRO

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E.O. 11652: N/A

TAGS:EWWT, BR

SUBJECT: BRAZILIAN SUPREME COURT DECISION ON SHIPPING

1. DEPARTMENT IS CONCERNED BY REPORTS FROM U.S. SHIPPING LINES THAT BRAZILIAN SUPREME COURT HAS UPHELD A LOWER COURT'S RULING THAT BRAZILIAN SHIPBROKERS ARE ENTITLED TO COLLECT ONE PER CENT OF FREIGHT REVENUES WHICH SHIPPING LINES SERVING BRAZILIAN TRADES EARNED DURING THE EARLY 1960S. ACCORDING TO LINES, THE COURT RULED THAT BROKERS ARE ENTITLED TO THESE MONIES REGARDLESS OF WHETHER THEY HAD ACTUALLY PERFORMED ANY SERVICES FOR THE LINES.
2. EMBASSY REQUESTED TO SUBMIT A FULL REPORT ON THIS MATTER. WE ARE PARTICULARLY INTERESTED IN KNOWING WHETHER LINES HAVE ANY MEANS TO APPEAL THE DECISION, AS THERE IS LIMITED OFFICIAL USE

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- SOME INDICATION THAT THE GOB HAS THE POWER TO OVERRULE THE COURT. WE WOULD ALSO LIKE TO KNOW WHETHER DECISION HAS AFFECTED BRAZILIAN AND FOREIGN LINES EQUALLY.
3. WE WOULD ALSO APPRECIATE CONFIRMATION OF A REPORT THAT SEVERAL EUROPEAN EMBASSIES PLAN TO PRESENT A JOINT PROTEST OR REQUEST FOR RECONSIDERATION TO THE GOB. IF SUCH A

PROTEST IS PLANNED, DEPT INTERESTED IN KNOWING LEGAL BASIS FOR PROTEST.

4. EMBASSY SHOULD NOT LODGE FORMAL PROTEST AT THIS TIME, BUT DEPARTMENT MAY REQUEST EMBASSY TO DO SO AFTER RECEIPT OF FULL REPORT. CHRISTOPHER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SUPREME COURT, CARGO HANDLING  
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**Draft Date:** 06 jan 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE003863  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** JAPURNELL:EW  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780011-0371  
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**Original Handling Restrictions:** n/a  
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**TAGS:** EWWT, BR  
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**Type:** TE  
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**Review Markings:**  
Sheryl P. Walter  
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